

gerald and their ejection from the hotel, threats were made against Fitzgerald and his associates, to whom Deputy Commissioner Lord later promised police protection.

Meet Officials This Morning.

Fitzgerald and his associates will meet the officers of the Interborough at 10:30 this morning to present the demands of the men. Fitzgerald has power to order a strike, but those closest to him thought last night he would not exercise this power until after Mayor Mitchell had been given an opportunity to prevent a walk-out. Mayor Mitchell, who has been in Pittsburgh, was expected to reach New York to-day.

Before he left the city, after settling the trouble between the New York Railways Company and its employees over the discharge of fourteen men who had been arrested during the strike, the Mayor exacted a promise from the labor men there would be no further trouble without an opportunity being given him to preserve the peace. Fitzgerald had not been released from this promise last night, though he was endeavoring to get into touch with Theodore Rousseau, secretary to the Mayor.

Strike Breakers Are Sought.

"I am not talking strike," Fitzgerald said yesterday, "and I won't say what will be done to-morrow. We are going to present our demands to the company and what follows is up to its officers. You can depend upon it, however, the company will be forced to cancel the contracts it obtained from the men by fraud and misrepresentation."

Until yesterday it was definitely understood no action would be taken pending the return to New York of Mr. Mitchell and efforts by him and Oscar S. Straus, chairman of the Public Service Commission, to prevent a suspension of work. The action of the company, however, in openly arranging for strike breakers and the demonstration at the hotel last night, served to make the situation more tense and led to the belief among some of the union men that a strike would be ordered at once if Fitzgerald could obtain the necessary release from his promise to the Mayor. Some even declared the action of the company had released Fitzgerald from these obligations and the strike might be ordered at any time.

Hundreds Seek Jobs.

The first proof that strikebreakers were being gathered for service on New York cars was given yesterday in newspaper advertisements for motor-men, conductors and guards. Applicants were to report at 123 West 34th Street, basement diagonally across the street from the Continental.

By noon, several hundred men had gathered at the place. They were told they were wanted to work on the subway and surface cars. Proof that the applicant had had experience was demanded, and those producing it were offered \$5 a day pending a strike and \$8 a day and "found" during employment on the cars. Four young men, wearing the white Labor Day badges of the car men's union, circulated in the crowd, ostensibly signing men for employment by the union. They said they had been detailed by Fitzgerald to offer \$3.50 a day to all who would agree not to work, the money to be paid by Fitzgerald in the Continental at 3 o'clock.

Mob Storms Hotel.

Promptly at that time a mob of 300 entered the hotel lobby, demanding to see Fitzgerald. The clerk told them Fitzgerald was not in, whereupon a section of the crowd, led by a tall, wiry fellow, started for the upper part of the hotel. They were blocked at the elevators and a riot call was sent to Police Headquarters by Manager Duncan. Word that the men were coming sent the crowd out of the hotel before Sergeant Charles Rafferty and the reserves arrived from the West Thirtieth Street station.

Mean time, the crowd had jammed into the basement across the street. One stranger, who ventured there in search of work, was beaten and thrown out. The arrival of a policeman prevented further trouble.

Soon afterward Leo Bergoff, of the firm of Bergoff & Waddell, appeared. He declined to work who his firm was setting for, but admitted it was hiring 7,000 men for strike-breaking. It was said Bergoff & Waddell had opened another recruiting agency in Brooklyn, making three in all, with the main office at 120 Liberty Street.

Men Accuse Fitzgerald. Later in the afternoon several of the men from the basement appeared at the Continental and again demanded to see Fitzgerald, but did not enter the place. They were told Fitzgerald was away.

"We want our pay," declared the leader. "He's been hiring us, and now he's got to pay us. He's a nice guy—a labor leader hiring strike-breakers."

Just then an automobile arrived with Fitzgerald, P. J. Shea, of the executive board; Peter J. Rooney and several others. The men who had been looking for Fitzgerald left hurriedly for the basement.

"We want a new one," declared Fitzgerald, when the situation was explained to him. "No one was authorized by me or any one else to employ anybody, much less to set up a strike. It is a prearranged, well-schemed plan of the company to try to

do something to prevent these men bettering their condition."

Manager Duncan of the hotel told Fitzgerald some of the men in the mob had revolvers protruding from their hip pockets, and the labor leader appealed to the police for protection. The strikebreaker killed was Harry Foley, of Erie, Penn. He was injured in the office of Bergoff & Waddell, No. 120 Liberty Street, and taken to St. Vincent's Hospital, where he died. Deputy Commissioner Scull and his men from Headquarters investigated the killing.

"He started a fight and was knocked down," the police say one of the men in charge said, "and we sent him to the hospital."

It was learned that Foley had been hired in Erie to act as a strikebreaker on the Lackawanna and had been quarreled with several hundred others in Weehawken. To-day the men were to be paid off, and Foley went to the office with Cyril Hedgeland. Hedgeland and other witnesses said Foley was told to wait for his pay. After waiting for a while he again asked for it, and in the argument that followed he was struck over the head with a blackjack and knocked down twice, witnesses say. His assailant fled.

David Melrose, thirty-three years old, was arrested at 119 Delancey Street by orders of Assistant District Attorney Stephen B. Haddock, charged with homicide, and was committed without bail.

Foley, who was about twenty-eight years old, was identified by a letter signed by his wife, who gave her address as 12 Banta Street, Elmhurst, L. I.

MOSQUITO FLEET AWAITS WAR CALL

Trim motor boats, brasswork gleaming and pennants snapping, slid by twos and tens and scores into Gravesend Bay yesterday afternoon. From beyond the Highlands of the Hudson, from Long Island Sound and from up and down the coast they came and took their appointed places in the armada of dainty vessels assembling there to learn their duties in time of war.

The mosquito fleet, so named in the days of the Spanish War, was gathering. Much more apt is the name in these days, as was evidenced when there came a distant whining that grew to a crescendo roar, and a hydro-aeroplane from Port Washington was poised for an instant at the end of its overland journey and tobogganed down to join its comrades. They were told they were wanted to work on the subway and surface cars. Proof that the applicant had had experience was demanded, and those producing it were offered \$5 a day pending a strike and \$8 a day and "found" during employment on the cars. Four young men, wearing the white Labor Day badges of the car men's union, circulated in the crowd, ostensibly signing men for employment by the union. They said they had been detailed by Fitzgerald to offer \$3.50 a day to all who would agree not to work, the money to be paid by Fitzgerald in the Continental at 3 o'clock.

LABOR CONGRESS WELCOMES ALIENS

Internationalism Not Dead, Its President Points Out.

Birmingham, England, Sept. 4.—In opening the Trades Union Congress here to-day the president, Harry Gosling, said that to prove that internationalism was not dead the Congress was welcoming fraternal delegates from the United States, Canada, France and Belgium. Many things were in the melting pot at the present time of the national anxiety, he continued, and in the emergency thousands of trades unionists had given their lives willingly because they deemed the sacrifice essential for the purpose of national defense.

Referring to the fact that the unions were urging establishment of a ministry of labor and the increase of old age pensions to ten shillings weekly, he said the people had submitted to every form of taxation for war requirements, and he asked:

"To what would they not submit for peace requirements?" he asked.

"Resolved, That the Interstate Commerce Commission is hereby requested to at once investigate, and as nearly as possible, ascertain what, if any, increase in the cost of the operation of trains will result from the compliance by the railway companies with the act approved September 3, 1916, entitled an act to establish an eight-hour day for employees of carriers engaged in interstate and foreign commerce and for other purposes, and to report its findings to Congress on the first day of the December, 1916, session. Provided, that if the said commission cannot conclude its investigation of all railways affected by said law in time to report on the date aforesaid, it shall then report on such railway or railways the investigation of which it has been able to complete."

Lewisohn, Mo., Sept. 4.—Samuel Gompers, president of the American Federation of Labor, in a discussion of the railway strike situation during an address to-day defended the attitude of the laborers, and while he praised President Wilson for his efforts to settle the controversy, he unqualifiedly denounced any attempt at legislation to compel arbitration.

"The demand of the railroad brotherhoods is a clear-cut issue," said he. "They now make the simple demand that their lives and their physical well-being shall be protected and they shall be required to work only such a reasonable period of time as industrial experience has shown to be expedient. The eight-hour principle has been universally accepted by all railways."

"The railroad brotherhoods have not refused to accept arbitration. Even the most extravagant advocate of world peace through the process of arbitration does not exclude certain fundamental principles as not arbitrable."

"The railroad men secured attention and won favor to their cause because of their contentions was an over-

ROADS WOULD AVOID CONTEST OF 8-HOUR LAW

Negotiations Said To Be Under Way with the Brotherhoods.

EXECUTIVES FAVOR PLAN TO FIX WAGES

Wish, if Possible, to Avert Friction and Gain Rate Increase.

(From The Tribune Bureau.)

Washington, Sept. 4.—The eight-hour law by which a railroad strike was averted may be accepted by the railroads without a test of its constitutionality. Negotiations between the railroads and the brotherhoods are being conducted, it is said, by which the roads would agree not to contest the law.

Judge W. L. Chambers, of the United States Board of Mediation and Conciliation, admitted to-night that overtures were being made in this direction, but declined to comment further.

President W. S. Carter, of the Brotherhood of Locomotive Firemen and Enginemen, said he had not heard of the report. "None of the four chiefs has heard of it," he added.

"Would you favor it?" he was asked. "I would like to hear more about it. I have heard nothing about it at all," he replied.

Why Roads Might Accept. It was pointed out to-night that the railroads might be willing to accept the law, including as it does the principle of the right of Congress—and through it the Interstate Commerce Commission—to fix wages of employees in interstate commerce. The railroads are anxious for the commission to have this power, just as it has been given the power to fix freight rates.

The idea of the railroads in this is that it would avert the possibility of strikes in the future, or, if it did not, certainly the onus would be heavily on men striking. The railroads would be given the special privilege or the advantage that would accrue from compulsory arbitration. Their position is in accord with the position of the American Federation of Labor.

"Compulsory arbitration or so-called investigation is simply a way to restrain free necessary action on the part of wage earners and to make them more easily dominated by employers. It only makes the strike a criminal and gives authority for jailing workers who quit work."

The fact that has been demonstrated by the present European war is that behind power is economic. The determining factor in the European war will be the ability of the contending nations to organize and utilize the human—the economic resources of the nations.

The fundamental power of wage earners is their economic power—their power to produce. This is what makes the difference in national organization.

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GIRL WHO SAW LAWYER SLAIN.



Miss Mary McNiff, who was with Dwight P. Dilworth when he was shot down by robbers while automobile riding in Van Cortlandt Park.

Strike Issue Delayed.

Not Settled, Says Willard

(By Telegram to The Tribune.) Baltimore, Sept. 4.—Daniel Willard, president of the Baltimore & Ohio Railroad, said to-day that he felt it was fortunate that the country was not struggling with a strike on all its railroads. But he said the dispute was settled only temporarily.

"Of course, I should not have preferred a strike and the comparative strength of the railroads and the men settled in that manner," said Mr. Willard. "I would think myself unfit to live if I thought any such thing. As to the constitutionality of the law which Congress has passed I can say nothing at present."

"But, in any event, it settles the dispute only temporarily. It may recur. And it is, to my mind, extremely significant that a body of men constituting less than one-half of 1 per cent of the population should be able to go to Congress and tell Congress what to do, and that Congress gave it to them, waiting until it was given."

"I do not say that Congress should have settled the matter as it did, or that it did not make the best settlement it could."

"But the fact that this body of men was able to go to Congress and make demands and get what it wanted is the fault of Congress—not of this particular Congress, perhaps, but of the legislative body of the country. This dispute is not new. It has been before the public for years. Congress has always refused to take any action to provide for settlement, although appealed to again and again. Perhaps they will do something now. If they do not we may expect a renewal."

The Canadian industrial disputes investigation act is the best thing that I know of anything of. It does not make strikes impossible, but it does make it impossible to call them until after a full investigation by the government of the matters in dispute and calm consideration of them—which probably would prevent strikes."

GIRL TAKES POISON AT MOTHER'S GRAVE

Fannie Schechter, 19 Years Old, Now Prisoner in Hospital.

Despondent at the death of her mother three weeks ago, Fannie Schechter, nineteen years old, went from her home, 306 East Third Street, Manhattan, last night to her parent's grave in Washington Cemetery, Brooklyn. There she drank the contents of a bottle containing indine.

A watchman found her lying on the ground, and she was removed, a prisoner, to the Kings County Hospital. She is expected to recover.

EX-SOLDIER TAKES POISON

Robert Campbell Is Found Near Death in Central Park.

Robert Campbell, twenty-five years old, who said he was homeless and who, papers found in his coat showed, is an honorably discharged United States army private, and a member of the United States Life Saving Corps, was found writhing and screaming beside the West Drive of Central Park, at 72d Street, last night.

Campbell told Dr. Bull, of Flower Hospital, that he had taken 100 grains of bichloride of mercury. He refused to give any reason for his act. The doctor said he had a small chance of recovery.

Dilworth Sure He'd Die with Boots On

(By Telegram to The Tribune.) Kansas City, Mo., Sept. 4.—Dwight P. Dilworth, the former Kansas City attorney, is the fifth of his family to be murdered.

"I don't know the young woman or any one of that name," the murdered lawyer's wife said to-day at the home of friends here, where she has been visiting for two weeks with her three-year-old son, William P. Dilworth.

"Before I left him," Mrs. Dilworth said, "we were discussing the tragic deaths of his father and relatives."

"That's the way I'll die with my boots on," he told me, half seriously. "I know of no enemies my husband might have had and can give you no reason for the murder, unless it was because he fought with robbers."

GIRL AGAIN TELLS HOW LAWYER DIED

Continued from page 1

machine. Then two shots were fired into the air, Miss McNiff thought, although there is a bullet hole in the left side of the car that suggests the aim was lower.

Undaunted, He Kept On. Dilworth, undaunted by the shots, had kept on, using "fighting words" which he did not live to apologize for. The blackmailer-highwayman backed away before him, around the hood of the machine and into the ditch which separates the road from the golf links.

In the ditch they stood and opened fire. Miss McNiff said she remembered counting three shots before the highwayman fled across the links. Dilworth, now silent, walked back around to the left side of the car and tumbled to the ground.

Before she ran to bring help, Miss McNiff concluded, she had tried to lift Dilworth from the road.

When the examination was finished Miss McNiff went to her home, at 123 West Seventy-fifth Street. Later she spent a few minutes in the office of the Nuwak Company, manufacturers of fruit extracts, of which she is part owner.

May Reinct Tragedy. Miss McNiff, at first reported as a girl in her teens, admitted twenty-four. She succeeded in convincing the police, further, that she was not the Mary McNiff who figured in the investigation into the death of John D. McDonald in August, 1912.

That Mary McNiff was in the apartment at 19 West 161st Street, from a window of which McDonald, a contractor, either fell or was thrown to his death, Inspector Gray has in his desk a picture of the Mary McNiff of the McDonald case, which bears no resemblance whatever to the Mary McNiff of the "Lovers' Lane" murder.

Although Miss McNiff was not asked yesterday to recount her part in the shooting, there remains a possibility she may be called upon to do so to-day. Commissioner Scull and Inspector Gray, after spending most of the afternoon going over the ground, were undecided on this point last night.

No Clues Uncovered. Despite the close inspection made by the officials and the previous searches made during the night by ten detectives and by sixteen others who relieved them in the morning, nothing like an important clue was brought to light.

The chief aim of the search was to find the pistol with which Dilworth was shot, and even after all their work the police are still not sure it is not lying somewhere in the thick brush that covers the slope up toward Mosholu Park.

Bullets extracted from the lawyer's body show the gun to have been of .32-calibre—a small one to be used by a professional hold-up man.

Lawyer's Wife Responds. Dilworth's wife, who left her home at 333 North Fullerton Avenue, Montclair, N. J., a couple of weeks ago to visit her parents in the West, wired Kansas City asking that the lawyer's body be shipped to Fort Scott, Kan., after having received Masonic honors.

She told newspaper correspondents that, although she has never heard her husband mention Miss McNiff, she had no doubt she was either, as she says, one of his clients or a friend of some of his friends.

"Neighbors in Montclair said they had no doubt that there was more of business than anything else in the motor trip."

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FOOD PRICES DROP AS 'CORNER' FAILS

Big Bargains for Housewives When Speculators Sacrifice Supplies.

STRIKE SETTLEMENT HITS DEALERS HARD

Railways Rush to Market Products Hoarded for Famine Prices.

The last bitter act of the tragedy entitled "The Food Speculators and the Railway Strike that Refused to Materialize" will be presented this morning in the markets of the city, amid the showering tears of the speculators and the applause of housekeepers, who will be able to buy food at prices which have not existed here since Grant was elected. The corner unscrupulous merchants attempted to establish on edibles, hoping a transportation tie-up would send prices skyward, will blow up to-day, and prices will volplane to earth.

Poultry, fresh meat, green vegetables, butter and eggs, hoarded in hope of a famine, are being dumped at any price upon the retailer by speculators caught with a great supply and no demand.

"Market prices should be among the lowest in the history of the live poultry trade," Commissioner Joseph Hartigan, secretary of the Mayor's Committee on Food Supply, said yesterday.

When the railroad strike seemed imminent, Commissioner Hartigan says, certain merchants saw prospects of famine and starvation prices for food. Accordingly, they tapped all the main food arteries, and a portion of the food received was stored against the day when, they thought, New York would pay at least double for it. This resulted in last week's increase in the cost of living. It would have meant a fortune to the speculators if the railway strike had occurred.

The strike didn't materialize, however, and the speculators had to get rid of their food as quickly as they could. All yesterday railways were bringing to the city vast quantities of staples for immediate sale. When the markets open this morning, all kinds of food products will be sold to retailers for whatever they will pay, and they, in turn, the commissioner believes, will sell to the consumer at astonishingly cheap prices.

CASINO BURNED AT NEW LONDON

Most of Patrons Absent When Fire Causes Loss of \$75,000.

(By Telegram to The Tribune.) New London, Conn., Sept. 4.—Pequot Casino, the clubhouse at the mouth of the harbor, was destroyed by fire soon after noon to-day. There was barely time for the few patrons who were there at the time to get out and for employees to send a few of their belongings tumbling after them out of the windows.

Several trunks containing most of the wardrobe of Mrs. Julius S. Morgan, Jr., a niece by marriage of J. P. Morgan, were rescued, more or less battered, by the window route. Although some of her apparel was saved in the same manner, the Baroness von Hasburg lost several valuable pieces of jewelry, among them a diamond-studded necklace.

The fire started in the upper part of the building in some unexplained manner. Although all of the thirty rooms were occupied, most of the patrons were away at the time. Within a few minutes after the alarm was given, smoke and flames were pouring from numerous windows.

Prominently located, just north of the New London town, the blaze in structure brought help from all sides. The volunteer fire department of the city found itself handicapped by low water pressure. Yachts in the harbor were sent to the scene. A few minutes after the alarm was given, smoke and flames were pouring from numerous windows.

Actual accounts of the dispute vary. The Chinese claim it arose when Japanese soldiers attacked the Chinese garrison at Cheng Cheng Chiatun and seized both the local magistrate and a Japanese merchant who had refused to obey instructions issued by the Chinese because bandits were operating in the city. The Japanese contend the Chinese arrested the merchant illegally and fired on a small body of Japanese troops sent to investigate. About fifty Chinese and seventeen Japanese were killed.

The secret demands are believed here to seek extension to inner Mongolia of rights which already have been won in South Manchuria. In both places China is forbidden, under the Treaty of May 8, 1915, to raise a foreign loan on local taxes without Japan's consent, and is forced to consult Japan in case she cannot raise money herself for the railroads there.

Beyond that, however, the Japanese in South Manchuria have unlimited rights of travel, residence, trade and leasing of land, together with the right of trial before a Japanese Consul in civil and criminal cases where a Japanese is defendant, the right of opening and operating specified mines and preference in case foreign advisers are sought in military, political, police or financial matters.

None of the demands as published in the fringes upon any right of the United States, officials think, but a report of the secret negotiations will be awaited with concern, as they may conflict with the open door policy and the integrity of China. Except for the possibility of American interference, it is pointed out, Japan practically has a free hand in China, as all the European powers are too fully occupied at home to devote much attention to the Far East.

The report of secret demands recalled to diplomats the famous Twenty-one demands made upon China by Japan on January 18, 1915, the existence of which was denied for several weeks. A version containing all demands later was given out by the Japanese Embassy in London, omitting the vital Group 5. On April 25 a revised list was published, and on May 7 Japan sent a note to the United States ultimatum which was accepted to the next day.

MERE MILLION WOULD BRING SUNDAY HERE

That's "Ma's" Price, and Billy Says It's Up to "Ma."

"It used to be a bully place to get laid," said Billy Sunday yesterday, looking over the Manhattan Baseball Field, under Coogan's Bluff, where his tabernacle may stand next spring if he decides that Gotham has to hit the sawdust trail.

"It's up to Ma," was the only promise he would give about entering the ring against the big-time champion devil of New York.

And "Ma" said that New York was slow and that the Mayor should have seen to it before now that arrangements were made for Billy to come. It could be done if 1,000,000 people put up \$1 apiece, the evangelist said, and he went on talking about the good days when the "L" ran to 115th Street only.

"Save your money and serve the Lord," he counselled the attendants at the Waldorf, and promised the bellhop front seats in his tabernacle.

James M. Speers and the Rev. Dr. E. S. Holloway, pastor of the Hope Baptist Church, said last night that they felt sure Billy Sunday would turn for three months about the end of February.

BLAZE RECALLS DIAMOND FIRE

Brooklyn Tenants, Opposite Scene of November Tragedy, Are Panicked

A fire of suspicious origin in the cellar of a tenement at 292 North Sixth Street, Brooklyn, opposite the site of the ill-fated Diamond factory, which burned last November, frightened the occupants yesterday. Some tenants, in their frantic efforts to get out, fell and were trampled on. The damage was \$3,000.

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